

The clerk will call the roll.

Mr. MORAN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. KELLY). Without objection, it is so ordered.

The question is on agreeing to the motion.

The yeas and nays were ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MARSHALL), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The result was announced—yeas 66, nays 28, as follows:

[Rollcall Vote No. 288 Leg.]

#### YEAS—66

Baldwin	Graham	Padilla
Bennet	Grassley	Peters
Blumenthal	Hassan	Portman
Blunt	Heinrich	Reed
Booker	Hickenlooper	Romney
Brown	Hirono	Rosen
Burr	Hoeven	Sanders
Cantwell	Kaine	Schatz
Capito	Kelly	Schumer
Cardin	King	Shaheen
Carper	Klobuchar	Sinema
Casey	Leahy	Smith
Cassidy	Lujan	Stabenow
Collins	Manchin	Tester
Coons	Markey	Tillis
Cortez Masto	McConnell	Van Hollen
Cramer	Menendez	Warner
Crapo	Merkley	Warnock
Duckworth	Murkowski	Warren
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wyden
Gillibrand	Ossoff	Young

#### NAYS—28

Barrasso	Hagerty	Scott (FL)
Blackburn	Hawley	Scott (SC)
Boozman	Hyde-Smith	Shelby
Braun	Johnson	Sullivan
Cornyn	Kennedy	Thune
Cotton	Lankford	Toomey
Cruz	Lee	Tuberville
Daines	Lummis	Wicker
Ernst	Moran	
Fischer	Sasse	

#### NOT VOTING—6

Inhofe	Paul	Rounds
Marshall	Risch	Rubio

The motion was agreed to.

### INVESTING IN A NEW VISION FOR THE ENVIRONMENT AND SURFACE TRANSPORTATION IN AMERICA ACT

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 3684) to authorize funds for Federal-aid highways, highway safety pro-

grams, and transit programs, and for other purposes.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 232, Ur Mendoza Jaddou, of California, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

Charles E. Schumer, Richard J. Durbin, Jacky Rosen, Debbie Stabenow, Edward J. Markey, Sheldon Whitehouse, Tina Smith, Amy Klobuchar, Michael F. Bennet, Christopher Murphy, Elizabeth Warren, Jack Reed, Richard Blumenthal, Ron Wyden, Catherine Cortez Masto, Kirsten E. Gillibrand, Gary C. Peters.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Ur Mendoza Jaddou, of California, to be Director of the U.S. Citizenship and Immigration Services, Department of Homeland Security, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Oklahoma (Mr. INHOFE), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Kansas (Mr. MARSHALL), the Senator from Kentucky (Mr. PAUL), the Senator from Idaho (Mr. RISCH), the Senator from South Dakota (Mr. ROUNDS), the Senator from Florida (Mr. RUBIO), and the Senator from Nebraska (Mr. SASSE).

Further, if present and voting, the Senator from Kansas (Mr. MARSHALL) would have voted "nay."

The yeas and nays resulted—yeas 50, nays 41, as follows:

[Rollcall Vote No. 289 Ex.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—41

Barrasso	Ernst	Murkowski
Blackburn	Fischer	Portman
Blunt	Graham	Romney
Boozman	Grassley	Scott (FL)
Braun	Hagerty	Scott (SC)
Capito	Hawley	Shelby
Cassidy	Hoeven	Sullivan
Collins	Hyde-Smith	Thune
Cornyn	Kennedy	Tillis
Cotton	Lankford	Toomey
Cramer	Lee	Tuberville
Crapo	Lummis	Wicker
Cruz	McConnell	Young
Daines	Moran	

#### NOT VOTING—9

Burr	Marshall	Rounds
Inhofe	Paul	Rubio
Johnson	Risch	Sasse

The PRESIDING OFFICER. On this vote the yeas are 50, the nays are 41.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Ur Mendoza Jaddou, of California, to be Director of the United States Citizenship and Immigration Services, Department of Homeland Security.

The PRESIDING OFFICER. The Senator from Iowa.

NATIONAL WHISTLEBLOWER APPRECIATION DAY

Mr. GRASSLEY. Mr. President, each year on July 30, we take time to celebrate whistleblowers and the very hard role that whistleblowers play in keeping our government transparent and accountable.

But the task of supporting whistleblowers doesn't start and stop on July 30; it is a year-round job. And here in this Congress, it is something that we have been working on for decades.

When I first came to Washington in the 1970s, most of the whistleblower laws we take for granted today didn't even exist then.

I like to tell people, anyone who dared to blow the whistle back at that time was about as welcome as a skunk at a picnic.

People in government would often retaliate by trying to run the whistleblower off and make them out to be the problem instead of the problem the whistleblower was trying to present.

I still hear about that kind of retaliation going on this very day in far too many cases. But, today, we have better whistleblower protections in place than we did years ago, and whistleblowers have important advocates in their corner to support them.

The Nation owes a special thanks for many of the key whistleblower protections that we have in place this very day to my former colleague and good friend, Senator Carl Levin, who died yesterday at the age of 87.

Carl was the original sponsor of the Whistleblower Protection Act back in 1989, and a cosponsor of the Whistleblower Protection Enhancement Act of 2012.

I was proud to have worked with Carl on those foundational pieces of whistleblower legislation. I know that if Carl

were still here in the Senate this very day, he would be continuing to lead on whistleblower issues.

Carl understood that whistleblower protections are not just important to Members of Congress and a small network of interest groups in Washington, DC; they are important for the entire Nation because whistleblowers play a critical role in our government. They call attention to the problems of waste, fraud, abuse, and inefficiency.

And if you have the sort of transparency that comes because whistleblowers are ready to stand up for what is right, that transparency brings accountability to our government, and you can't have a democratic government that is not accountable.

These whistleblowers help those of us in Congress to identify problems in the government so we can fix them through oversight and, if necessary, passing legislation.

And so whistleblowers help keep government transparent and accountable to the people, and they help us find ways of saving taxpayers' dollars.

As much as Carl accomplished during his Senate career helping whistleblowers, and as much as we have accomplished together over the years, there is still more that needs to be done to ensure that whistleblowers remain protected.

One important resource for whistleblowers is the Merit Systems Protection Board, where whistleblowers can go if they face retaliation for blowing the whistle.

And let me tell you, too many whistleblowers face retaliation for doing just what is right. We ought to see them as partisans for good government.

Now, this Merit Systems Protection Board has been without a quorum for more than 2 years, and it has developed a significant backlog of cases. I am not sure what is keeping President Biden from sending us nominations for that board. I certainly believe he needs to do that without delay.

There is also still work to do to make whistleblower protections stronger and more robust. I am working on several pieces of whistleblower legislation in this Congress. One of my bills will strengthen incentives and protections for whistleblowers who report potential money laundering.

And I also have legislation to further strengthen the False Claims Act and an act entitled Program Fraud Civil Remedies by giving Agencies more resources to directly take on people who defraud the government.

In addition, I am working on legislation that will establish stronger whistleblower protections for our FBI employees. Wherever there are still gaps in our existing laws, I am working to fill those gaps.

This year, on Whistleblower Appreciation Day, the Senate Whistleblower Protection Caucus welcomes two new Members: Senators COLLINS and HASSAN.

As chair of the caucus, I am pleased to welcome my colleagues. I look forward to working with these new colleagues and our caucus co-chair, Senator WYDEN of Oregon, as we continue our joint effort to make sure the whistleblower laws and protections we have in place next year and the year after are even stronger than the ones that we have in place today.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CORNYN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

H.R. 3684

Mr. CORNYN. Mr. President, it is 2 o'clock on a Friday afternoon, and it looks like we are going to grind through this bipartisan infrastructure bill this weekend, as Senator SCHUMER has ordained, but we have now had a couple of votes—actually, three votes now—to proceed to a bill that hasn't even been written yet in totality, and indeed the reason we were delayed this morning was because some of the text that was written did not comport with the agreement between the negotiating parties.

I have said this from the beginning; that Senator SCHUMER should not rush a bill to the floor before it is ready. It is simply not a good practice. And we are talking about more than \$1 trillion in spending that will affect every man, woman, and child in America. It is more important to get things right than to get it done fast.

For weeks now, the bipartisan group of Senators who have been negotiating this bipartisan infrastructure package have been engaged in intense negotiations with the White House to find common ground. Over the last several days, in particular, colleagues have logged countless hours to nail down specific provisions and how it would be paid for.

I want to commend all of them for their efforts on both sides of the aisle. It has been a long road, but we still have a long road ahead, and I appreciate both sides working in good faith to try to reach an agreement.

Like all my colleagues, I am eager to see the text in the bill to understand the specifics and how it impacts my State, what is included and what is not included. To gain my support, this legislation must accomplish two things: First, it must send sufficient resources to Texas to build and maintain our vast network of infrastructure projects. We are the fastest growing State in the Nation, with 29 million people, and we need to make sure our infrastructure is up to the need. We have the largest network of roadways of any State in the country, with more than 680,000 lane miles. We are also home to more than 55,000 bridges, far more than any other State.

We have water ports along the gulf coast, as the Presiding Officer knows, having lived in Houston, and ports of entry along the border with Mexico and Canada, all of which are critical to our economy, as well as airports, levees, waterways, and countless other infrastructure projects that are vital to our communities across the State.

The pandemic has also highlighted the importance of broadband, including the need to expand access in unserved parts of the State. It is figured that we have about a third of our State without adequate access to broadband, and, of course, that became critical when our children were studying remotely from home or when people attempted to see their doctor using telehealth. Broadband has gone from a convenience to a necessity.

It is going to take a little while to comb through the specifics of this massive bill—I think at last count it was 2,600 pages long—to see if it meets my two criteria. But that is my priority No. 1.

But my second criterion is this bill must include a real plan to pay for these infrastructure investments in a responsible way. We have had to spend a lot of money in the last 18 months. A lot of this money was borrowed money because we were engaged in an emergency, a pandemic. But now our debt to gross domestic product is really roughly to what it was after World War II, and I agree that most of that was necessary, at least the bipartisan bills that we passed. I think there were a total of five last year.

But now is not an emergency when it comes to infrastructure. Now, this is the bread and butter of legislating, and we have got to come up with a responsible way to pay for the money that we intend to spend.

The current draft of the bill, I think, is lacking in adequate pay-fors. Senator PORTMAN, the Senator from Ohio, said that the Congressional Budget Office would not give the writers of the bill credit for some of the money that is in fact real, some of the repurposed money from COVID-19 that was not used for Federal bonuses to State unemployment, which was, at one point, rejected by the Governors because people were being paid more money not to work than to work. So there wasn't a pot of money to offset some of the spending.

But I think there are additional pay-fors that have been overlooked. So I am in the process of drafting amendments to this bill, including new pay-fors, and I hope these amendments will come to a vote on the Senate floor.

I support the efforts of our colleagues on a bipartisan basis to negotiate the current package. I think they have done us a great favor. But the fact of the matter is, the rest of us, the 80 of us who did not participate in those negotiations, have a right and a duty to participate in writing this legislation too. So it would be a terrible mistake for the majority leader to refuse to

allow Members on both sides to offer amendments which could pass and could improve the underlying bill.

It goes without saying that this bill did not go through regular order, which is nothing more than saying it didn't go through the normal committee process. But the benefit of going through the normal committee process is that both majority and minority Members get a chance to participate in writing a bill in the committee even before it comes to the floor.

So now that we have a bill that was negotiated and which, I suppose, at some point we will see in the light of day, but one that was negotiated by only a small fraction of Senators, it is even more critical that we have an open amendment process.

As I said earlier, a transportation infrastructure bill ordinarily would go through an arduous process, through, I think, at least three standing committees—through the Banking Committee, through the Commerce Committee, and through the Environment and Public Works Committee. But that did not happen here.

The bipartisan group of Senators did find common ground among themselves, and now it is time for the full Senate to have the opportunity to offer changes that will improve this legislation and allow all Senators a chance to participate in shaping them.

Our friend, Senator PORTMAN, the Senator from Ohio, said the bipartisan group is committed to having a fair process that allows both sides an opportunity to amend the bill. Senator MCCONNELL has also called for a robust, bipartisan floor process. So I would encourage Senator SCHUMER, the floor leader, to accept amendments from Members of both sides of the aisle to strengthen the legislation and ensure that it meets the needs of our constituents.

There is no question that the roads and bridges across the country are in need of repair. Every year, the American Society of Civil Engineers evaluates the state of our infrastructure and issues a report card to let us know how we are doing.

Well, America is barely passing with a C-minus. Texas is faring slightly better than the rest of the class, with a C. But it is time, as you can tell, for us to invest in our roads and bridges and the ports and waterways that fuel our economy and the broadband that keeps us connected.

I have been disappointed that Senator SCHUMER has seen fit to try to force us to vote on a bill that does not yet exist in its entirety, but I hope we can now pump the brakes a little bit and take the time and care to evaluate the benefits and the costs of this legislation, and I hope that there will be an amendment process available to both sides of the aisle to ensure that our infrastructure investments are made fairly and they are paid for responsibly.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PETERS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. HICKENLOOPER). Without objection, it is so ordered.

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

#### REMEMBERING CARL LEVIN

Mr. MCCONNELL. Mr. President, I am sorry to begin my remarks today with a third Senate eulogy for this week alone.

Last evening, we received word that our former colleague from Michigan, Senator Carl Levin, passed away at the age of 87. Carl's fellow Michiganders elected and reelected him six times. He was the longest serving Senator from Michigan ever. His home State liked what they had in this passionate activist turned attorney, turned public servant. His dutiful, diligent, and detail-oriented approach led Senator Levin to build expertise and win respect across a huge range of issues.

The pinnacle of our colleague's career was his years atop the Senate Armed Services Committee. I certainly did not always reach the same conclusions that Carl did, but his independence, his genuine humble curiosity, and his affection for the men and women who wear the uniform were impossible to dispute.

He was earnest. He was solid, forthright, and devoted to the defense of our Nation in ways that he thought best.

I especially admired Carl's courageous, consistent defense of the Senate filibuster and the unique structures that define this institution. He never let short-term political facts cloud his long-term judgment in that crucial area.

I know all of our condolences go out to Barbara and the entire Levin family today and to all Senators, staff, and friends who will miss our colleague.

#### THE ECONOMY

Now, Mr. President, on a completely different matter, we learned yesterday that last quarter, our GDP finally regained its prepandemic level. It has taken about a year of economic growth just to recover back to where we started.

Obviously, we are still far below where our pre-COVID trajectory would have had us today. Before this 100-year pandemic, Republican policies had helped build the best economic moment for American workers in recent memory. Unemployment was at remarkable lows. Wages were on the rise. Pay was growing faster for workers toward the bottom of the income scale—actually faster than those at the top.

That was then. This is now. For the last several months, a different philosophy has guided our recovery. Our

Democratic friends believe in borrowing, spending, and taxing at dizzying rates. They want to engineer some kind of socialist recovery from the top down. So how is it going? Well, that GDP report that came out yesterday was actually a substantial miss. Our economy grew almost 25 percent slower than the experts had predicted—another economic disappointment.

Now, remember, this new administration and this Democratic Congress were set up for success unlike any other transition we had seen in our lifetimes. They inherited not one, not two, but three safe and effective vaccines that were spreading around the country. They inherited an economy that was raring to come back, thanks to five bipartisan rescue packages we passed last year.

But instead of helping the American people get back to normal, Democrats decided they wanted to build back bloated—build back bloated. They jammed through a massive \$2 trillion so-called COVID package that only spent about 1 percent on vaccinations and less than 10 percent on public health. The rest went to a litany—a literal litany—of inflationary liberal spending.

Now American families are paying the price: slower hiring than expected, slower growth than expected, a weaker comeback than expected. Their policies are sticking it to the middle-class families through higher prices at the grocery store, at the gas pump, at the hardware store, at the car dealership, in the housing market, and practically everywhere else that matters to families.

Employers large and small, down to Main Street shops and construction sites, are struggling to hire and turning down work because Democrats decided taxpayers should keep directly paying people to stay home. Our country is flooded with safe, effective, and free vaccines for anyone who wants one, but Democrats are still making small businesses bid against a special government handout that rewards, believe it or not, not working.

Our bipartisan work last year left our country primed and ready for a comeback summer, but it is becoming clearer and clearer that Democrats in the Capitol and down Pennsylvania Avenue pursued economic policies that have fumbled the handoff.

Now, in the days ahead, Democrats want to steamroll ahead with yet another reckless tax-and-spending spree: more untinged borrowing, printing, and spending; more welfare spending with no—listen to this—no work requirements; everything from amnesty to big chunks of the Green New Deal and historic tax hikes poured on top for good measure. This kind of reckless taxing-and-spending spree would make their last failed package look like a walk in the park, and the pain that families are already feeling would just be beginning.